

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
v.) Criminal No. 18-30001-WGY
(6) DAPHNE MOORE,)
Defendant.)

MOTION TO WITHDRAW MOTION FOR EXTENSION OF TIME
TO OBTAIN SEARCH WARRANT (DOCKET NO. 264)

The United States of America, by and through its attorneys, United States Attorney Andrew E. Lelling and Assistant United States Attorney Katharine A. Wagner, respectfully requests that the Court grant this Motion to Withdraw the government's Motion for Extension of Time to Obtain a Search Warrant filed on January 24, 2019 (Docket No. 264). As grounds therefore, the government's states that, on January 28, 2019, it obtained a warrant to search the iPhone device seized incident to the arrest of defendant Daphne Moore on December 21, 2018.

See Case No. 19-MJ-4006-DHH. Accordingly, the government's previously filed Motion for Extension of Time (Docket No. 264) is now moot.

The government attempted to conferred with counsel for the defendant, Linda Thompson, Esq., by email on January 29, 2019. Ms. Thompson declined to enter into a stipulation regarding the government's Motion to Withdraw.

In conclusion, for the foregoing reasons, the government respectfully requests that the Court allow the government to withdraw its Motion for an Extension of Time (Docket No. 264).

Respectfully submitted,

ANDREW E. LELLING
UNITED STATES ATTORNEY

/s/ *Katharine A. Wagner*
KATHARINE A. WAGNER
Assistant United States Attorney

Counsel for the United States

Certificate of Service

January 29, 2019

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

By: /s/ Katharine A. Wagner
KATHARINE A. WAGNER
Assistant United States Attorney